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10/004,384	10/31/2001	Stefan Edward Strickholm	50449-00002	9103
22334 7590 04/04/2007 PETER F WEINBERG GIBSON DUNN AND CRUTCHER LLP SUITE 4100 1801 CALIFORNIA STREET DENVER, CO 80202			EXAMINER SHAW, PELING ANDY	
			ART UNIT 2144	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/004,384	Applicant(s) STRICKHOLM ET AL.	
	Examiner Peling A. Shaw	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/20/2006 has been entered.
2. Amendment received on 01/08/2007 has been entered into record. Claims 1, 21, 35 and 48 are amended. Claims 58-100 are withdrawn. Claims 1-57 are currently pending.
3. Amendment received on 04/10/2006 was entered into record. Claims 1, 14, 21, 41, 96 and 99 were amended.
4. Pre-exam amendment received on 08/26/2002 was entered. Claims 2-100 were new. The amended specification changes are reviewed and accepted. The amended proposed drawing changes are reviewed and accepted.

Priority

5. This application claims the benefit of 60/245,138 on 11/01/2000. The filing date is 10/31/2001.

Specification

6. Specification change amended on 10/20/2006 is examined and accepted.

Claim Rejections - 35 USC § 101 Utility

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 21-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

- a. Claim 21 recites a computer system comprising an application platform without any further recitation of other hardware. It renders the claim as software application per se. As such, the claim lacks the necessary physical articles or objects necessary for it to be a machine or a manufacture within the meaning of 35 USC 101, and it's clearly not a series of steps or acts so as to be a process or combination of two or more substances so as to be a composition of matter, it fails to fall within a statutory category. Since the claim is not limited to embodiments eligible for patent protection, it is being rejected as non-statutory as not directed to a patent-eligible machine, manufacture, process or composition of matter. Claim 21 and its dependent claims 22-34 are thus rejected.
- b. For the purpose of applying art, claims 21-34 are read as if at least one hardware embodiments appeared, e.g. A computer system for enhancing communication within a community, comprising: a storage medium contains code instruction when executed on a processor in the compute system to provide an application platform

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent

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or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10, 12-16, 18-21, 24-25, 27-28, 30-31, 34-35, 37-48 and 50-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Sedlar (US 6549916 B1), hereinafter referred as Sedlar.

- a. Regarding claim 1, Sedlar disclosed a method for enhancing communication within a community, the method comprising: (a) establishing a hierarchical structure for organizing communications between a plurality of users within the community (column 1, line 58-column 2, line 12: hierarchy-based organization; column 27, line 24-column 28, line 20: message for hierarchical file system events); (b) distributing control through selection of inherited parameters of said hierarchical structure to at least one of said plurality of users (column 1, line 58-column 2, line 12: reflect some intuitive relationship between the meanings that have been assigned to the directories; column 26, lines 58-64, column 35, lines 44-66: inherited subclass, attributes, methods and codes), wherein said inherited parameters comprise parameters defining access by said plurality of users to said communications organized within said hierarchical structure (column 11, line 21-62: access control per file, read, update, insert, execute, change permission); (c) storing in said hierarchical structure at least a portion of said communications received from said plurality of users from at least one a plurality of input devices (column 1, line 58-column 2, line 12: for each document to be stored in a directory based on some intuitive relationship between the contents

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of the document and the meaning assigned to the directory in which the document is stored) in relation to at least one of a plurality of topics that is user selected (column 27, line 11-column 28, line 20: reviewing technical documents, a technical document, “ready for review” directory, version of document); (z) providing a link to a resource associated with said at least a portion of said communications that is stored, wherein said link is available for access by authorized users of said plurality of users (column 27, line 11-column 28, line 20: linking file to a particular directory; column 30, lines 22-24: references, HTML links); (d) prioritizing said at least a portion of said communications within said hierarchical structure (column 36, line 15-31: e-mail documents to have a priority property attribute); (e) presenting to at least a one of said plurality of users through said at least one of plurality of input devices a selected portion of said communications stored in said hierarchical structure (column 23, line 34-47: display of contents based upon the query associated with the document directory) , wherein said selected portion of said communications are related under said at least one of a plurality of topics that is user selected (column 27, line 11-column 28, line 20: reviewing technical documents, a technical document, “ready for review” directory, version of document); and (f) enabling dynamic interaction through further contributions of communications by said at least a one of said plurality of users through said at least one of a plurality of input devices in response to presentation of said selected portion of said communications within said hierarchical structure, wherein said further contributions of communications are stored and accessed within said hierarchical structure in relation to said topic (column

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27, line 11-column 28, line 20: “ready for review” directory, notification rule, event id, storage, creation, movement, modification or deletion of files), where said further contributions are associated with at least one discussion thread comprising a recorded communication under said at least one of a plurality of topics that is conducted between participating users of said plurality of users (column 27, line 11-column 28, line 20: reviewing technical documents, a technical document, “ready for review” directory, version of document; column 29, lines 60-65: documents related to projects)..

- b. Regarding claim 2, Sedlar disclosed a method for enhancing communication within a community according to claim 1 wherein said establishing a hierarchical structure further comprises: creating a top-level hierarchy having at least one top-level subject (column 1, line 58-column 2, line 12); creating at least one mid-level hierarchy, each of said at least one mid-level hierarchy having at least one mid-level subject related to at least one of said at least one top-level subject (column 1, line 58-column 2, line 12); and creating a low-level hierarchy having at least one low-level subject related to at least one of said at least one mid-level subject (column 1, line 58-column 2, line 12), wherein each of said stored communications becomes an item indexed to at least one of said at least one low-level subject (column 27, line 11-column 28, line 20).
- c. Regarding claim 3, Sedlar disclosed a method for enhancing communication within a community according to claim 2 wherein said distributing control through inherited parameters said hierarchical structure further comprises: assigning at least one top-level leader for each of said at least one top-level subject (column 27, line 11-column

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28, line 20); assigning at least one mid-level leader for each of said at least one mid-level subject (column 27, line 11-column 28, line 20); and assigning at least one low-level leader for each of said at least one low-level subject (column 27, line 11-column 28, line 20).

- d. Regarding claim 4, Sedlar disclosed a method for enhancing communication within a community according to claim 3 wherein said distributing control through inherited parameters of said hierarchical structure further comprises: assigning at least one of said inherited parameters to each of said at least one top-level subject, wherein said at least one of said inherited parameters controls input or access to a database function by said at least one top-level leader associated with said at least one top-level subject (column 35, line 27-column 36, line 48); assigning at least one of said inherited parameters to each of said at least one mid-level subject, wherein said at least one of said inherited parameters controls input or access to a database function by said at least one mid-level leader associated with said at least one mid-level subject (column 35, line 27-column 36, line 48); and assigning at least one of said inherited parameters to each of said at least one low-level subject, wherein said at least one of said inherited parameters controls input or access to a database function by said at least one low-level leader associated with said at least one low-level subject (column 35, line 27-column 36, line 48).
- e. Regarding claim 5, Sedlar disclosed a method for enhancing communication within a community according to claim 4: wherein said at least one of said inherited parameters assigned to each of said at least one low-level subject inherited from said

at least one mid-level subject related to said at least one low-level subject (column 35, line 27-column 36, line 48), and further wherein said at least one said inherited parameters assigned to each of said at least one mid-level subject is inherited from said at least one top-level subject related to said at least one mid-level subject (column 35, line 27-column 36, line 48), and further wherein said at least one of said inherited parameters assigned to each of said at least one top-level subject is inherited from a web master (column 15, line 55-67; column 35, line 27-column 36, line 48).

- f. Regarding claim 6, Sedlar disclosed a method for enhancing communication within a community according to claim 5: wherein said at least one parameter inherited by each of said at least one low-level subject the same as, or narrower scope, than said at least one parameter assigned to each of said at least one mid-level subject related to said at least one low-level subject (column 35, line 27-column 36, line 48), and further wherein said at least one parameter inherited by each of said at least one mid-level subject is the same as, or narrower in scope, than said at least one parameter assigned to each of said at least one top-level subject related to said at least one mid-level subject (column 35, line 27-column 36, line 48).
- g. Regarding claim 7, Sedlar disclosed a method for enhancing communication within a community according to claim 6: wherein said at least one of said inherited parameters assigned to each of said at least one top-level subject is inherited from a web master (column 15, line 55-67; column 35, line 27-column 36, line 48), and further wherein said at least one parameter inherited by each of said at least one top-level subject is the same as, or narrower in scope, than said at least one parameter

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assigned to each of said at least one top-level subject by said web master (column 15, line 55-67; column 35, line 27-column 36, line 48).

- h. Regarding claim 8, Sedlar disclosed a method for enhancing communication within a community according to claim 7: wherein each of said inherited parameters comprises a one of a privacy parameter, screening parameter, input parameter, user ID parameter, and an approval parameter (column 11, line 21-41).
- i. Regarding claim 9, Sedlar disclosed a method for enhancing communication within a community according to claim 8: wherein each of said inherited parameters has at least one access level, wherein a higher one of each of said at least one access level provides more management control than a lower one of each of said at least one access level (column 11, line 21-62).
- j. Regarding claim 10, Sedlar disclosed a method for enhancing communication within a community according to claim 7 wherein said distributing control through inherited parameters of said hierarchical structure further comprises: allowing said at least one top-level leader associated with said at least one top-level subject, said at least one mid-level leader associated with said at least one mid-level subject, and said at least one low-level leader associated with said at least one mid-level subject, to change respectively said at least one access level of said inherited parameters at any time (column 11, line 21-62).
- k. Regarding claim 12, Sedlar disclosed a method for enhancing communication within a community according to claim 1 wherein said establishing a hierarchical structure for organizing communications further comprises: utilizing database for establishing

said hierarchical structure (column 6, line 43-column 7, line 21), wherein said at least a portion of said communications are stored in said hierarchical structure in said database (column 16, line 55-63).

- l. Regarding claim 13, Sedlar disclosed a method for enhancing communication within a community according to claim 12 further comprising: recording and storing a communication from a user in said database when said user is not accessing said database at the time said communication is initiated (column 16, line 55-63).
- m. Regarding claim 14, Sedlar disclosed a method for enhancing communication within a community according to claim 14 wherein said at least one item type is a one of an idea, question, event, review, survey, newsletter, and action item (column 27, line 24-61).
- n. Regarding claim 15, Sedlar disclosed a method for enhancing communication within a community according to claim 14 wherein said at least one item type is a one of an idea, question, event, review, survey, newsletter, and action item (column 27, line 24-61).
- o. Regarding claim 16, Sedlar disclosed a method for enhancing communication within a community according to claim 1 wherein said presenting a selected portion of said communications further comprises: filtering said at least a portion of said communications yielding a filtered portion of communications (column 23, line 34-47); consolidating said filtered portion of communications yielding a consolidated portion of communications (column 23, line 34-47); sorting said consolidated portion of communications yielding a sorted portion of communications (column 23, line 34-

- 47); and presenting said sorted portion of communications according to a predetermined level of content review (column 23, line 34-47).
- p. Regarding claim 18, Sedlar disclosed a method for enhancing communication within a community according to claim 1 wherein said enabling dynamic interaction further comprises: alerting said at least one said plurality users to an activity within the community, wherein said activity is a one of a topic within said hierarchical structure, an item type within said hierarchical structure, a response from an individual user within the community, a response from any one of a member of a group of users within the community, a new posting from an individual user within the community, and a new posting from any one of a member of a group of users within the community (column 27, line 11-column 28, line 20).
- q. Regarding claim 19, Sedlar disclosed a method for enhancing communication within community according to claim 1 wherein said enabling dynamic interaction further comprises: alerting said at least one of said plurality of users to a message within the community, wherein said message is sent to at least a one of a home page of said at least one of said plurality of users, to an e-mail account of said at least one of said plurality of users, to a voice mail box of said at least one of said plurality of users, and to some other type of communications device of said at least one of said plurality of users (column 27, line 11-column 28, line 20).
- r. Regarding claim 20, Sedlar disclosed a method for enhancing communication within a community according to claim 1 wherein said enabling dynamic interaction further comprises: alerting a select group of others within the community to an activity or a

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message of said at least one of said plurality of users, wherein said activity is a one of a topic within said hierarchical structure, an item type within said hierarchical structure, a response from said at least one of said plurality of users, a new posting from said at least one of said plurality of users, and further wherein said message is sent to at least a one of a home page of said select group of others within the community, to an e-mail account of said select group of others within the community, to a voice mail box of said select group of others within the community, and to some other type of communications device of said select group of others within the community (column 27, line 11-column 28, line 20)

- s. Claims 21, 28, 30-31 and 34 are of the same scope as claims 1-3, 16 and 20. These are rejected for the same reason as for claims 1-3, 16 and 20.
- t. Regarding claim 24, Sedlar disclosed a computer system for enhancing communication within a community according to claim 21 wherein said application further comprises: a content access interface for determining current hierarchical structure of said database accessible by said plurality of users (column 11, line 21-62); an authorization module for authorizing each of said plurality of users to access a portion of said plurality of communications stored in said database to which each of said plurality of users have access rights and in conjunction with said inherited parameters responsibility module (column 11, line 21-62); an interaction control module for determining a dynamic interaction capability for said plurality of users with said plurality of communications stored in said database which said plurality of users have access rights in conjunction with said inherited parameters responsibility

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module (column 11, line 21-62); and a content prioritizing interface for sorting and prioritizing the order said plurality of communications are presented to each of said plurality of users for review (column 36, line15-31).

- u. Regarding claim 25, Sedlar disclosed a computer system for enhancing communication within a community according to claim 21 further comprising: a recording module accessible by said plurality communication devices (column 1, line 58-column 2, line 12), wherein said recording module, after a user input is received in a one of said plurality communication devices on a record option, queries said database causing said database to deliver said one said plurality communication devices said hierarchical structure of said plurality of communications (column 23, line34-47), and further wherein said recording module receives a user selection input of a topic within said hierarchical structure with which to associate a communication from said one of said plurality of communication devices (column 23, line34-47), and further wherein said recording module records and stores in said database said communication sent from said one of said plurality of communication devices (column 23, line34-47).
- v. Regarding claim 27, Sedlar disclosed a computer system for enhancing communication within a community according to claim 25 wherein said recording module resides on said application and is accessed over a communication channel by user input on said record option selected from a tool bar displayed on said one of said plurality of communication devices (column 11, line 21-62).

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w. Claims 35, 37-48 and 50-57 are of the same scope as claims 1-5, 9, 14-15, 18-20 and

24. These are rejected for the same reason as for claims 1-5, 9, 14-15, 18-20 and 24.

Sedlar disclosed all limitations of claims 1-10, 12-16, 18-21, 24-25, 27-28, 30-31, 34-35, 37-48 and 50-57. Claims 1-10, 12-16, 18-21, 24-25, 27-28, 30-31, 34-35, 37-48 and 50-57 are rejected under 35 U.S.C. 102(e).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 36 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sedlar (US 6549916 B1), hereinafter referred as Sedlar, and further in view of Dennis et al. (US 6466932 B1), hereinafter referred as Dennis.

a. Sedlar shows claim 1 as above. Sedlar does not show (claim 11) wherein said distributing control through inherited parameters said hierarchical structure further comprises: assigning an access status to each of said plurality of users, wherein said access status comprises a one of an inclusive access and an exclusive access, and further wherein said inclusive access allows access to each of said stored communications said hierarchical structure except where excluded by said inherited parameters, and further wherein said exclusive access allows access to each of said stored communications in said hierarchical structure only where explicitly assigned.

- b. Dennis shows (claim 11) wherein said distributing control through inherited parameters said hierarchical structure further comprises: assigning an access status to each of said plurality of users (column 13, line 5-36), wherein said access status comprises a one of an inclusive access and an exclusive access (column 13, line 5-36), and further wherein said inclusive access allows access to each of said stored communications said hierarchical structure except where excluded by said inherited parameters (column 13, line 5-36), and further wherein said exclusive access allows access to each of said stored communications in said hierarchical structure only where explicitly assigned (column 13, line 5-36) in an analogous art for the purpose of implementing group policy.
- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Sedlar's functions of event notification system tied to a file system with Dennis' functions of access control.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have more explicit access control per Dennis (column 5, lines 15-64)' teaching in addition to a hierarchical access and event functions per Sedlar (column 11, line 21-62; column 27, line 24-column 28, line 20)'s teaching.
- e. Claims 36 and 49 are of the same scope as claim 11. These are rejected for the same reasons as for claim 11.

Together Sedlar and Dennis disclosed all limitations of claims 11, 36 and 49. Claims 11, 36 and 49 are rejected under 35 U.S.C. 103(a).

10. Claims 17 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sedlar (US 6549916 B1), hereinafter referred as Sedlar, and further in view of Gilchrist et al. (US 6081832 A), hereinafter referred as Gilchrist.

- a. Sedlar shows claim 1 as above. Sedlar does not show (claim 17) wherein said storing in said hierarchical structure further comprises: attaching a resource to at least one of said at least a portion of said communications, wherein said resource is a one of an internal database link, a document/file attachment, and an external Internet link.
- b. Gilchrist shows (claim 17) wherein said storing in said hierarchical structure further comprises: attaching a resource to at least one of said at least a portion of said communications, wherein said resource is a one of an internal database link, a document/file attachment, and an external Internet link (column 15, line 43-58; column 22, line 58-column 23, line 13) in an analogous art for the purpose of object oriented mail server framework mechanism.
- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Sedlar's functions of event notification system tied to a file system with Gilchrist's functions of attachment.
- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have message attachment per Gilchrist (column 15, line 43-58)'s teaching in addition to a hierarchical access and event functions per Sedlar (column 11, line 21-62; column 27, line 24-column 28, line 20)'s teaching.
- e. Claim 29 is of the same scope as claim 17. It is rejected for the same reasons as for claim 17.

Together Sedlar and Gilchrist disclosed all limitations of claims 17 and 29. Claims 17 and 29 are rejected under 35 U.S.C. 103(a).

11. Claims 22-23, 26 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sedlar (US 6549916 B1), hereinafter referred as Sedlar, and further in view of Underwood (US 6718535 B1), hereinafter referred as Underwood.

- a. Sedlar shows claims 1, 21 and 25 as above. Sedlar does not show (claim 22) wherein said application platform is a one of a centralized application platform architecture and a distributed application platform architecture, wherein said distributed application platform architecture has a plurality of databases for storing distributively said plurality of communications.
- b. Underwood shows (claim 22) wherein said application platform is a one of a centralized application platform architecture and a distributed application platform architecture (column 1, line 47, column 2, line 32), wherein said distributed application platform architecture has a plurality of databases for storing distributively said plurality of communications (column 46, 52-column 47, line 4, column 120, line 16-57) in an analogous art for the purpose of an activity framework design in an e-commerce based environment.
- c. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Sedlar's functions of event notification system tied to a file system with Underwood's functions of client/server distributed information database.

- d. The modification would have been obvious because one of ordinary skill in the art would have been motivated to have distributive information database functions per Underwood (column 2, lines 8-18)'s teaching in addition to a hierarchical access and event functions per Sedlar (column 11, line 21-62; column 27, line 24-column 28, line 20)'s teaching.
- e. Regarding claim 23, Underwood shows further comprising: for said distributed application platform architecture, an inherited parameters synchronization module for determining a one of a plurality of application platforms of said distributed application platform that contains a portion of said plurality of communications sought by a one of said plurality of users, and for routing said one of said plurality of users to said one of a plurality of application platforms (column 1, line 47, column 2, line 32); and a content synchronization module for exchanging and synchronizing content between said plurality of databases (column 46, 52-column 47, line 4, column 120, line 16-57).
- f. Regarding claim 26, Underwood shows wherein said recording module resides on said one of said plurality of communication devices (column 46, 52-column 47, line 4, column 120, line 16-57).
- g. Regarding claim 32, Underwood shows wherein said reviewing module further comprises: a customized interactive reviewing module for creating digital binder, wherein said customized interactive reviewing module allows each of said plurality of users to aggregate in said digital binder a specific portion of said plurality

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communications most useful to each of said plurality of users (column 46, 52-column 47, line 4, column 120, line 16-57).

- h. Regarding claim 33, Underwood shows wherein said input module and said thread synchronization module update said digital binder in real time with new content received in said application related to said specific portion of said plurality of communications aggregated in said digital binder (column 46, 52-column 47, line 4, column 120, line 16-57)

Together Sedlar and Underwood disclosed all limitations of claims 22-23, 26 and 32-33.

Claims 22-23, 26 and 32-33 are rejected under 35 U.S.C. 103(a).

Response to Arguments

12. Applicant's arguments filed on 10/20/2006 have been fully considered, but they are not persuasive.

- a. Applicant has amended independent claims 1, 21, 35 and 48. Applicant has further withdrawn the consideration of claims 58-100. Examiner has reviewed the amended claim language in light of applicant's original specification and claim language. Examiner has further searched the previous identified prior arts used either in the previous claim rejection and Remarks sections of office action dated 07/07/2006. Examiner has further reviewed previous claim rejections in office action dated 07/07/2006. Examiner found the prior arts used in the previous office action are still applicable to the current claim language. Examiner has updated the claim rejections above to reflect the amended claim language changes and recited the relevant prior art references.
- b. Applicant's arguments seem to repeat many similar arguments as per applicant's previous amendment dated 04/10/2006. Examiner has responded to these arguments in Response to Arguments section of office action dated 07/07/2006. These responses should be mostly still applicable to many arguments in the current amendment. Examiner has provided a few additional responses in the following sections.
- c. With regards to applicant's arguments related to the newly amended claim changes, examiner has indicated above reviews are taken, prior arts and references in the prior arts are identified as in the claim rejection sections above, e.g. link to a source associated with said at least a portion of said communication that is stored.

- d. With regards to applicant's allegation that Sedlar does not teach nor suggest "... the dynamic interaction with a selected portion of communications related under a topic in which further contributions of communications are stored and accessed within the hierarchical structure in relation to the topic as claimed in independent claim 1. Examiner did respond to the applicant similar allegation in the previous office action. Sedlar has shown that (column 27, line 11-column 28, line 20) messages are generated for file system events including creating, modifying, deletion and movement of files, i.e. user activities with respect to documents, for different document reviews, i.e. different topic or subject matter.
- e. With regards to storing of a portion the communication in relation to a topic that is used selected. Sedlar has shown (column 27, line 11-column 28, line 20) the file system for hosting document development and review.
- f. It is the Examiner's position that Applicant has not submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to claim as broadly as possible their invention, it is also the Examiner's right to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique (see item a in section 8). Sedlar, Dennis, Gilchrist and Underwood have shown substantially the general art of accessing control in a hierarchical directory structure with message notification of file accessing events. It is clear that Applicant must be

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able to submit claim language to distinguish over the prior arts used in the above rejection sections that discloses distinctive features of Applicant's claimed invention.

It is suggested that Applicant compare the original specification and claim language with the cited prior art used in the rejection section above or the Remark section below to draw an amended claim set to further the prosecution.

- g. Failure for Applicant to narrow the definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant's intent to broaden claimed invention. Examiner interprets the claim language in a scope parallel to the Applicant in the response. Examiner reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

Remarks

13. The following pertaining arts are discovered and not used in this office action. Office reserves the right to use these arts in later actions.

- a. Schneider et al. (US 6105027 A) Techniques for eliminating redundant access checking by access filters
- b. Du et al. (US 6308163 B1) System and method for enterprise workflow resource management
- c. Bowman-Amuah (US 6697824 B1) Relationship management in an E-commerce application framework

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

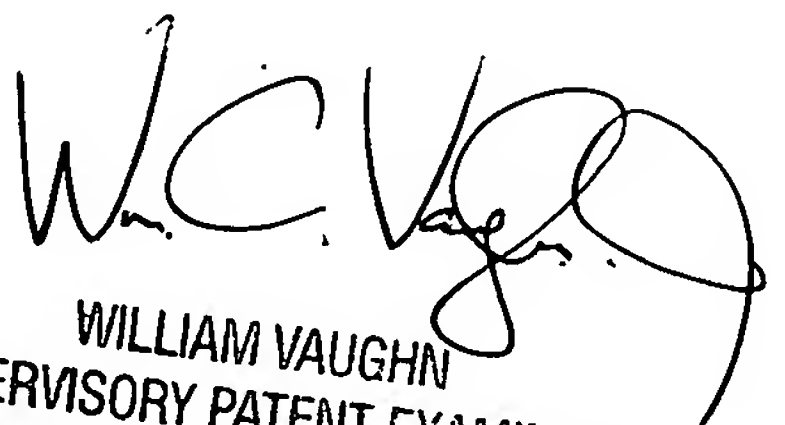
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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